



Docket No.: 50195-257

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

By: Application of

Norihiko KIRITANI

Serial No.: 09 817,154

Group Art Unit: 2823

Filed: March 27, 2001

Examiner: F. Toledo

For: METHOD FOR MANUFACTURING SILICON CARBIDE DEVICE AND  
OXIDATION FURNACE

**RESPONSE TO OFFICIAL ACTION**

Commissioner for Patents  
Washington, DC 20231

Sir:

This is in response to the Official Action of July 9, 2002 in this application. In the action, restriction was required between claims 1-18, drawn to a method for manufacturing a silicon carbide device, and claims 19-20, drawn to an oxidation furnace. In response to this requirement, Applicants elect the invention of Group I, claims 1-18, drawn to a method for manufacturing a silicon carbide device. The requirement for restriction is respectfully traversed and reconsideration is requested.

In making the restriction requirement, the Examiner holds that the process and apparatus are distinct because the process as claimed could be practiced using a different apparatus or the apparatus could be used to practice another materially different process. Applicant submit that this is insufficient basis to support the restriction requirement. As is clear from the claims of the application, the oxidation furnace of claims 19-20 clearly recites the use of the reaction tube with a boat configured to mount a silicon carbide

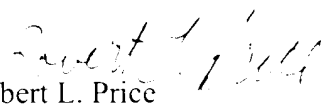
substrate and associated components so that the silicon film is selectively oxidized in a water rich ambient environment. Therefore, it is submitted that the two groups of claims are simply different embodiments of the same inventive concept and should be examined in this single application. Therefore, reconsideration of the restriction requirement is requested.

It is believed that the above represents a complete response to the Official Action and that the application is now in condition for action on the merits.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

  
Robert L. Price  
Registration No. 22,685

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202) 756-8000 RLP:ajb  
Facsimile: (202) 756-8087  
**Date: August 8, 2002**